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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/058,415	01/30/2002	Yukihiro Kumamoto	029430-502	5432

7590 09/17/2003
Robert G. Mukai
BURNS, DOANE, SWECKER & MATHIS, L.L.P.
P.O. Box 1404
Alexandria, VA 22313-1404

EXAMINER

BARTS, SAMUEL A

ART UNIT	PAPER NUMBER
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1621

DATE MAILED: 09/17/2003

4

Please find below and/or attached an Office communication concerning this application or proceeding.

1621

Part of Paper No. 4

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C.

121:

- I. Claims 1-3, drawn to process for making resorcin 2,4,6,-trisulfonate, classified in class 562, subclass 45.
- II. Claims 4-6, drawn to a process for making 2-sulfonic acid-4,6-dinitroresorcin, classified in class 562, subclass 62
- III. Claim 11 and 14-18, drawn to a method for making 4,6-diaminoresorcin, classified in class 564, subclass 305+.
- IV. Claim 12, drawn to a production method of polybenzobisoxazole, classified in class 548, subclass 215
- V. Claim 13, drawn to 2-sulfonic acid -4,6-dinitroresorcin salts, classified in class 562,, subclass 62.

The inventions are distinct, each from the other because of the following reasons:

2. Inventions II and V are related as process of making and product made.

The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case, the product as claimed can be made by another and materially different process .

3. Inventions I -V(excluding the combination II and V) are unrelated.

Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different modes of operation, different functions, or different effects (MPEP § 806.04, MPEP § 808.01). In the instant case the different inventions are drawn to processes for making patentably distinct compounds.

4. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

5. A telephone call was made to Mr Robert Mukai on 8/26/03 to request an oral election to the above restriction requirement, but did not result in an election being made.


Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement is traversed (37 CFR 1.143).

6. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samuel A Barts whose telephone number is 703-308-4630. The examiner can normally be reached on 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Johan Richter can be reached on 308-1235. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-4556 for regular communications and 703-308-4556 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1235.


Samuel A Barts
Primary Examiner
Art Unit 1621

s.b.
September 1, 2003